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BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In re

FM Table of Allotments
Section 73.202(b) of the
Commission's Rules
(Rio Grande City, Texas)

MM Docket 94-
RM No. _____

PETITION FOR RULEMAKING

Sound Investments Unlimited, Inc., by its attorneys, hereby petitions, pursuant to §§ 1.40 and 1.420 of the Commission's Rules, for institution of a rulemaking proceeding looking toward amendment of the FM Table of Allotments, § 73.202(b) of the Commission's Rules, to change the frequency and channel class of FM Station KCTM, Rio Grande City, Texas.

Sound Investments Unlimited, Inc. now operates KCTM on Class A FM Channel 276 in Rio Grande City. As such, KCTM is a grandfathered Class A facility. It broadcasts with 1.4 kw of effective radiated power at an antenna height of 128 meters above average terrain. This is the equivalent of an operation with 3 kw of effective radiated power at 100 meters above average terrain.

KCTM is constrained from increasing its present power to the current 6 kw Class A maximum by two allotments in Reynosa, Tamaulipas, Mexico. As shown on Table 1 attached hereto, the current data base reflects the three relevant Mexican records consisting of a reference site and a licensed site for Channel 273B at Reynosa, occupied by Station XHRR-FM, and a vacant allotment on Channel 277A in the same community.

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Various spacing constraints preclude upgrade of KCTM's facility on Channel 276A or any adjacent channel. However, with one channel substitution in Mexico, it would be possible for KCTM to upgrade on a non-adjacent channel, Channel 298C2.

As indicated on Table 2 hereto, the one short spacing to the Channel 298C2 allotment in Rio Grande City would be the allotment for an unbuilt Class A facility on Channel 297 in Ciudad Guerrero, Tamaulipas, Mexico. Sound Investments Unlimited, Inc. has made a channel search for alternate frequencies that could be substituted for Channel 297A at Ciudad Guerrero. It is determined that, at minimum, Channel 254A could be substituted for Channel 297A at Ciudad Guerrero. That would permit KCTM to operate as a Class C2 facility, thereby greatly increasing its coverage area.

KCTM operates as the only commercial station in Starr County, Texas, which has a minority population in excess of 90%.¹ Starr County is also one of the most economically depressed counties in the United States.

Through the proposed power increase for KCTM, the radio station will be able to expand its efforts to contribute to the economic development of Starr County. For example, with this stronger signal, KCTM would be able to reach residents of the lower Rio Grande valley and provide information to them as to community events and attractions, both commercial and non-commercial in Starr County. The proposed power increase would also enhance the viability of KCTM,

¹ A station in Roma, Texas operates noncommercially, albeit on a commercial frequency.

which is one of the handful of radio stations in the United States that are 100% minority-owned. At present, operating with minimal Class A facilities, the owner has been able to keep KCTM on the air only with a considerable sacrifice in time and funds.

Accordingly, Sound Investments Unlimited, Inc., requests that the Commission seek substitution by the Mexican Departamiento de Comunicaciones of Channel 297A for Channel 254A at Ciudad Guerrero, Tamaulipas. As a result of this change, the new Ciudad Guerrero allotment would be improved to Class AA, thus permitting operation at the maximum 6 kw allowed for that class. The consequent advantage to the eventual Mexican operator of the Ciudad Guerrero station is indicated on Table 3 hereto, which assumes channel separations as recently determined in the new U.S.-Mexican Agreement for Mexican facilities.

Sound Investments Unlimited, Inc. hereby affirms that it will, once the Commission issues a report and order effecting the changes requested herein, timely tender an application to modify its facilities to reflect the new channel class, and will promptly construct the requested the Class C2 facility on Channel 298.

In view of the foregoing, Sound Investments Unlimited, Inc. requests that the Commission modify the FM Table of Allotments, Section 73.202(b) of the Rules as follows:

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Present:

Rio Grande City, Texas
Channel 276A

Proposed:

Rio Grande City, Texas
Channel 298C2

As discussed above, Petitioner recognizes that these changes may be made only by coordinating with Mexico the following substitution of Mexican allotments:

Present:

Tamaulipas
Channel 297A


Proposed:

Tamaulipas
Channel 254AA

Respectfully submitted,

SOUND INVESTMENTS UNLIMITED, INC.

By:


Barry D. Wood

JONES, WALDO, HOLBROOK &
MCDONOUGH, P.C.
Suite 900
Washington, D.C. 20037
(202) 296-5950

Its Attorneys

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TABLE 1

Table 1: Allocation study at existing site and channel

NAPFM search of channel 276AA (103.1 MHz), at N. 26 25 47, W. 98 49 25.

CALL	CITY	ST CHN CL S	DIST	SEPN	BRNG	CLEARANCE
ALC	Reynosa	TA 273 B	65.8	69.0	124.1°	-3.2
XHRRFM	Reynosa	TA 273 B	67.1	69.0	126.1°	-1.9
ALC	Monterrey	NL 275 C	170.7	165.0	240.4°	5.7
XHMGFM	Monterrey	NL 275 C	172.7	165.0	240.5°	7.7
ALC	Alice	TX 275 C2 U	166.5	106.0	26.4°	60.5
KBIC	Alice	TX 275 C2 C	175.3	106.0	36.1°	69.3
ALC	Matamoros	TA 276 A	144.0	111.0	115.1°	33.0
ALC	Rio Grande City	TX 276 A U	0.0	115.0	0.0°	-115.0
KCTMFM	Rio Grande City	TX 276 A L	0.0	115.0	0.0°	-115.0
ALC	Linares	NL 277 B	189.2	125.0	203.3°	64.2
ALC	Cd. Anahuac	NL 277 C	173.3	165.0	304.2°	8.3
XHNARF	Linares	NL 277 B	189.4	125.0	203.2°	64.4
ALC	Reynosa	TA 277 A	66.6	68.0	124.5°	-1.4
ALC	Falfurrias	TX 277 A V	111.1	72.0	37.5°	39.1
ALC	Monterrey	NL 279 C	173.1	95.0	240.2°	78.1
XHITSF	Monterrey	NL 279 C	173.1	95.0	240.2°	78.1

TABLE 2

Table 2: Allocation Study at channel 298

MAPFM search of channel 298C2 (107.5 MHz), at N. 26 25 47, W. 98 49 25.

CALL	CITY	ST CHN CL S	DIST	SEPM	BBMG	CLEARANCE
ALC	Mcallen	TX 245 C U	106.6	35.0	111.2°	71.6
KVMV	Mcallen	TX 245 C L	106.6	35.0	111.2°	71.6
ALC	Matamoros	TA 296 B	144.0	65.0	115.1°	79.0
ALC	Nuevo Laredo	TA 296 A	136.0	65.0	330.4°	71.0
ALC	Ciudad Guerrero	TA 297 A	64.3	105.0	307.0°	-40.7
ALC	San Antonio	TX 298 C U	320.0	249.0	9.9°	71.0
KXTNFM	San Antonio	TX 298 C L	320.0	249.0	9.9°	71.0
ALC	Monterrey	NL 299 B	173.6	164.0	240.4°	9.6
XHBNFM	Monterrey	NL 299 B	173.6	164.0	240.4°	9.6
ALC	Benavides	TX 299 C2 U	132.9	130.0	15.1°	2.9
KXTH	Benavides	TX 299 C2 C	132.7	130.0	15.0°	2.7
ALC	Edinburg	TX 300 C1 U	92.1	79.0	102.5°	13.1
KVLY	Edinburg	TX 300 C1 L	92.1	79.0	102.3°	13.1

TABLE 3

Table 3: Allocation study for substitute Mexican Class AA

NAPFM search of channel 254AA (98.7 MHz), at N. 26 46 45, W. 99 20 22.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Rio Grande City	TX	201	A	V	68.7	10.0	130.3°	58.7
KHOY	Laredo	TX	201	A	L	84.1	10.0	347.6°	74.1
ALC	Laredo	TX	251	C1	U	84.1	75.0	347.6°	9.1
KRRG	Laredo	TX	251	C1	L	84.1	75.0	347.6°	9.1
ALC	Mcallen	TX	253	C	U	167.6	165.0	116.7°	2.6
KQXX	Mcallen	TX	253	C	C	168.0	165.0	115.7°	3.0
KQXX	Mcallen	TX	253	C	L	167.6	165.0	116.7°	2.6
ALC	Monclova	CI	254	B		207.1	178.0	273.8°	29.1
ALC	Monterrey	NL	255	B		158.0	125.0	217.9°	33.0
XHJDFM	Monterrey	NL	255	B		158.0	125.0	217.9°	33.0
ALC	Nuevo Laredo	TA	257	B		81.0	69.0	347.5°	12.0
XHNKFM	Nuevo Laredo	TA	257	B		81.0	69.0	347.5°	12.0